

REMARKS

Applicants thank the Examiner for the Final Office Action of September 15, 2009. This Amendment is in full response thereto. Thus, Applicants respectfully request continued examination and allowance of the application. Claims 6-10 are pending in this application.

Applicant has amended the claims to explicitly claim a first pressure sensor that is adapted to measure cabin pressure, not merely a pressure in a cabin. Applicant has also amended the claims to correct an inadvertent typographical error. In its June 18, 2009 Amendment, Applicant erroneously amended the claim to recite that a servocontrolled pressure regulator was downstream of the second pressure sensor. Applicant has now amended the claims to recite that the servocontrolled pressure regulator is upstream of the second pressure sensor.

Thus, the claims are directed to a circuit for supplying oxygen to aircraft passengers of an aircraft having a cabin. The circuit comprises a first and second pressure sensors and a servocontrolled pressure regulator. The first pressure sensor is adapted to measure the cabin pressure. The second pressure sensor is disposed in a line supplying oxygen connected to a pressurized oxygen source and is adapted to measure a pressure in the line. The servocontrolled pressure is in the line supplying oxygen connected to a pressurized oxygen source upstream of the second pressure sensor. The servocontrolled pressure regulator can be actuated in response to a pressure control signal supplied by an electronic control unit based upon signals indicative of pressures sensed by said first and second pressure sensors.

First Claim Rejection Under 35 U.S.C. § 103:

Claims 6, 7 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Beale (USPN 4,648,397). Applicant respectfully traverses because Beale fails to disclose, teach or suggest all of the limitations of the claims

and the Examiner has not shown why the missing limitations would have been obvious. In particular, Beale fails to disclose:

- 1) measurement of the cabin pressure, or
- 2) a pressure sensor in a line supplying oxygen connected to a pressurized oxygen source wherein the pressure sensor is downstream of a servocontrolled pressure regulator.

To the extent that Beale addresses (1), it discloses a sensor which measures a mask suction pressure (64→66). One of ordinary skill in the art would have clearly understood that mask suction pressure is not equivalent to cabin pressure.

To the extent that Beale addresses (2), it discloses a pressure sensor measuring a pressure of the oxygen supply (74→78) and a pressure sensor measuring a pressure of the air supply (76→80). As the Examiner admits, the “second” pressure sensor is not in a line supplying oxygen connected to a pressurized oxygen source. To get around this deficiency of Beale, the Examiner states that it is obvious to “rearrange” the pressure sensor measuring a pressure of the air supply to instead measure a pressure of a line supplying oxygen connected to a pressurized oxygen source for two purposes: a) providing a single pressure sensor that can be used with multiple supplies, and b) measuring inlet pressure to the regulator while accounting for a line pressure drop.

Applicant respectfully asserts that one of ordinary skill in the art would not have “rearranged” the air supply pressure sensor into the line supplying oxygen from the oxygen supply 74. This is because the sensor at the air supply is an integral part of the Beale control scheme. If that sensor is removed from the air supply, it would destroy the operation of the Beale control scheme.

Applicant also asserts that providing a single pressure sensor useable with multiple supplies would have created an unnecessarily complicated pressure measurement system and the Examiner has not pointed to devices known in the art that are capable of performing this hypothetical function suggested by the Examiner.

Finally, Applicant further asserts that the Examiner's reliance upon case law regarding the use of routine skill in a rearrangement of known parts is misplaced. This is because the limited case law that stands for such a proposition is based upon rearrangements of parts that do not change their function. In contrast, the hypothetical modification suggested by the Examiner would indeed change the function of the Beale control scheme. If the air supply pressure sensor was "rearranged" to the oxygen supply, the controller signal controlling the air valve 62 (via valve actuator 86) would no longer be compensated by the air pressure signal (76→80).

Thus, the rejection should be withdrawn.

Second Claim Rejection Under 35 U.S.C. § 103:

Claim 8 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Beale (USPN 4,648,397) as applied to claim 7 above, and further in view of Babin (USPN 6,588,442). Applicant respectfully traverses because Beale fails to disclose, teach, or suggest all of the limitations of the claims as discussed in detail above, and because Babin fails to cure the deficiencies of Beale. Thus, the rejection should be withdrawn.

Third Claim Rejection Under 35 U.S.C. § 103:

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Beale (USPN 4,648,397) as applied to claim 7 above, and further in view of Danon (USPN 5,701,889). Applicant respectfully traverses because Beale fails to disclose, teach, or suggest all of the limitations of the claims as discussed in detail above, and because Danon fails to cure the deficiencies of Beale. Thus, the rejection should be withdrawn.

CONCLUSION

Accordingly, it is believed that the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. Should the examiner believe a telephone call would expedite the prosecution of the application, he/she is invited to call the undersigned attorney at the number listed below.

It is not believed that any fee is due at this time. If that belief is incorrect, please debit deposit account number 01-1375. Also, the Commissioner is authorized to credit any overpayment to deposit account number 01-1375.

Respectfully submitted,

Date: **November 16, 2009**

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